HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO: 23077 of 2007

Dated: 01-11-2007

Between:

Marampelli Narsaiah and16 others.

..... PETITIC

AND

Government of Andhra Pradesh,
Rep., by the District Collector,
Karimnagar District and 2 others.

.....RESPONI

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No. 23077 of 2007

O R D E R:

This writ petition is filed for a writ of Mandamus to set aside the notification dated 13-10-2007 issued under Section 4 (1) of the Land Acquisition Act, 1894 (for short 'the Act').

The averments contained in the affidavit field in support of the writ petition disclose that an extent of Ac.134.07 guntas of land belonging to the petitioners is proposed to be acquired under notification dated 13-10-2007 issued under Section 4(1) of the Act and that in pursuance of notice issued in Form-3, the petitioners filed their objections on 20-10-2007. The petitioners, however, apprehended that even before disposing of the objections and getting the declaration under Section 6 of the Act published, they may be dispossessed unlawfully.

Heard Sri D.Baskar Reddy, learned counsel for the petitioners and the learned Government Pleader for Land Acquisition.

When once the respondents have initiated proceedings under the provisions of the Act, it is inconceivable that they would act in an unlawful manner by abandoning the procedure midway and highhandedly take possession of the property.

At any rate, in view of the apprehension expressed by the petitioners that there is a likelihood of respondents dispossessing them forcibly before completing the proceedings under the Act,

I deem it appropriate to dispose of the writ petition with the direction that the respondents shall not dispossess the petitioners until completion of the enquiry under Section 5-A of the Act and publication of declaration under Section 6 of the Act and completion of other legal formalities.

With the above direction, the writ petition is disposed of. No costs.

C.V.NAGARJUNA REDDY,J

Date: 01-11-2007

Note : Issue C.C. by tomorrow.

B/o

KLP